

Remarks

The present claim amendments place the application in condition for allowance, and accordingly, Applicants' respectfully request consideration of this Amendment and Response After Final. With the entry of this Amendment and Response, claims 17, 19, 21, 22 and 24-27 are pending. Claim 17 has been amended to incorporate features of claim 18. Claim 19 has been amended to correspond to amended claim 17. New claim 24 also includes features recited in claim 18. New claim 27 is supported by the specification at, for example, par. [0043]. Claims 1-16, 18, 20 and 23 have been cancelled.

Previously presented claims 19, 20 and 23 were withdrawn from consideration as being directed to a non-elected species. Claims 20 and 23 have been cancelled. Claim 19 has been amended to correspond to the elected species.

Previously presented claims 17, 18, 21 and 22 were rejected as being anticipated by U.S. Patent 5,333,624 to Tovey. The Examiner asserted that Tovey discloses a sling system including a rectangular sling, sling anchors having a cylindrical body with a bore therethrough, a suture and an inserter. Applicants respectfully asserts that Tovey does not anticipate the claims as amended.

Amended claim 17 and new claim 27 recite that the tissue anchors comprise a substantially cylindrical body having a bore therethrough to secure the sling anchors to the end portions of the sling. New claim 24 recites that the bore extends perpendicular to the longitudinal axis of the substantially cylindrical body. Contrary to the assertions in the present Office Action, the cleat 10 reported in Tovey does not comprise a substantially cylindrical body as claimed, but rather includes an eyelet 12 extending from a non-cylindrical body 11.

Tovey also fails to teach or suggest additional features recited in claims 17, 24 and 27. For example, Tovey does not teach or suggest that the eyelet 12 secures the cleat 10 to the implant as recited by claims 17 and 27. Instead, the cleats 10 are embedded in the implant, and the eyelet secures the cleat 10 to an insertion device 20. Additionally, Tovey does not teach or suggest that the cleats 10 have a hole extending perpendicularly to the cylindrical body as recited in new claim 24.

Claims 25 and 26 recite that the system further includes a suture extending through the bore to secure the anchors to the sling ends. Tovey does not teach or suggest a suture that secures the cleat 10 to the implant. Rather, Tovey teaches a suture that secures the cleat 10 to the insertion device 20.

Previously presented claims 17, 18, 21 and 22 were also rejected as being anticipated by US 6,042,534. (Gellman). Gellman fails to disclose or suggest sling anchors having a substantially cylindrical structure. Instead, Gellman merely discloses bone anchors "such as a screw in anchor, a push in anchor or a punch in anchor," without specifying any additional structural features (col. 16, lines 20-22).

Applicants respectfully request that the Examiner withdraw the pending rejections/objections and issue a Notice of Allowance. In lieu of the foregoing, Applicants request that the Examiner contact the undersigned representative to discuss the contents of this communication.

Respectfully Submitted,

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